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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,161	08/29/2001	David Glazer	1050390-991111	6819

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EXAMINER
PAULA, CESAR B

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/942,161	GLAZER ET AL.
		Examiner	Art Unit	
		CESAR B. PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 April 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *4,10,12-18,23,25,26,28,30-36,41,43,45,47,49-55,60 and 62-71* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *4,10,12-18,23,25,26,28,30-36,41,43,45,47,49-55,60 and 62-71* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the RCE amendment filed on 4/25/2005.

This action is made Non-Final.

2.   In the amendment, claims 1, 6, 9, 11, 19-22, 24, 27, 29, 37-40, 42, 46, 48, 56-59, and 61

have been canceled. Claims have 63-71 have been added. Claims 4, 10, 12-18, 23, 25-26, 28,

30-36, 41, 43, 45, 47, 49-55, 60, and 62-71 are pending in the case. Claims 63-65 are

independent claims.

3.   The rejections of claims 1, and 6, 4, 9, 11-27, 29-46, and 48-62 rejected under 35

U.S.C. 102(b) as being anticipated by Ludwig et al, hereinafter Ludwig (Pat.# 5,689,641,

11/18/97) have been withdrawn as necessitated by the amendment.

4.   The rejections of claims 10, 28, and 47 rejected under 35 U.S.C. 103(a) as being

unpatentable over Ludwig as applied to claim 1 above, and further in view of Bowman-

Ammuah, hereinafter Bowman (US Pat.# 6,640,238 B1, 10/28/2003, filed on 8/31/1999) have

been withdrawn as necessitated by the amendment.

Priority

5.   Acknowledgment is made of applicant's claim for domestic priority under 35

U.S.C. 119(e), and based on U.S provisional application # 60/228,853 filed on **8/29/2000**, which

papers have been placed of record in the file.

Drawings

6.   The drawings filed on 8/29/2001 have been approved by the examiner.

Claim Objections

7.   Claims 4, 10, 12-18, 23, 25-26, 28, 30-36, 41, 43, 45, 47, 49-55, 60, and 62-71 are

objected to because of the following informalities: Claims 63-65 recite "one of more rich media

object" in lines 13-14, 14-15, and 14-15 respectively. This better reads as one of more rich

media objects". Appropriate correction is required.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

9.   Claims 4, 12-18, 23, 25, 26, 30-36, 41, 43, 45, 49-55, 60, and 62-71 are rejected under

35 U.S.C. 103(a) as being unpatentable over Ludwig et al, hereinafter Ludwig (Pat.# 5,689,641,

11/18/97), and further in view of Goodkovsky (US Pat.# 6,807,535 B2, 10/19/2004, provisional

application filed on 3/8/2000).

Regarding independent claim 63, Ludwig discloses presenting a user interface that allows

users of multimedia client workstations in a network "MLAN" to view the multimedia files

requested by multimedia clients stored at a server-- *providing rich media files comprising a*

plurality of different types of rich media, and storing the rich media files as dynamic rich media

objects that are defined in accordance with an object model for rich media presentations (col.18,

line 64-col.19, line 27, col.31, lines 48-67, and col.32, lines 46-65, fig. 31A-D, 35-40, fig.2B).

Ludwig teaches multimedia windows having the title of the presentation on a title bar

located on top *–object identifier field*(fig.2b).

Further, Ludwig teaches presenting annotations in a section of a snapshot window, "Bob:

Look at this data!" *– one or more participant-tracking fields that track participant progress with*

respect to one or more dynamic rich media object (fig.2b). In other words, the annotations are

done in real-time, and a user can view the progress of the annotations as made by another user in

real-time.

In addition, Ludwig teaches presenting a second set of annotations in another section of a

snapshot window, "Yes! I see the problem" *– one or more participant input fields that store*

participant inputs that are received in response to one or more of dynamic rich media objects

(fig.2b).

Moreover, Ludwig discloses displaying the names of participating members of a

multimedia session—"Tom Griner, and Bob Lake"--. The users also must register the services

they provide, and this information is stored in a database in order to properly obtain access to the

information stored in the system – *creating a rich media presentation by associating a group of*

the dynamic rich media objects with an identifier for the presentation and one or more

permission keys (fig.2b, col.21, lines 23-35).

Moreover, Ludwig discloses providing a screen window having face icons of people to

take part of the multimedia session – *providing an interface for selectively requesting to view the*

presentation, and for receiving input from a participant in the group in connection with one or

more dynamic rich media objects when presented to the participant as part of the presentation;

(fig.2b, col.21, lines 45-64).

Moreover, Ludwig discloses numbering or tagging video/audio with frame numbers at

every $1/30^{th}$ interval of a second. In other words, the frames would be numbered $1/30^{th}$--*start-*

time field-- $2/30^{th}$, $3/30^{th}$ sec. A video presented varies according to the face of the person

presented, predetermined video/audio capabilities, and services a user is registered for.– *in*

response to a request to view the presentation, assembling a plurality of the dynamic rich media

objects in real time on a server so that the dynamic rich media objects are synchronized on the

basis of the start- time attribute in order to distribute to a requesting participant a version of the

rich media presentation that dynamically varies as a function of the participant and object

permission keys and of one or more participant-tracking attributes related to the requesting

participant (col.29, lines 50-67, col.21, lines 10-42).

Furthermore, Ludwig discloses storing service records in a server's service database. The

user is able to create, and edit the multimedia presentations (fig.2b, col.21, lines 23-35). Ludwig

fails to explicitly teach *storing participant-tracking and participant input attributes in the database when the requesting participant has viewed at least a portion of one or more of the dynamic rich media objects in the presentation.* However, Goodkovsky teaches adapting a multimedia presentation to preferences and styles of an individual learner (col.3, lines 1-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Ludwig, and Goodkovsky, because Goodkovsky teaches above an easy to design, and cost-effective method of tutoring a person.

Regarding claim 4, which depends on claim 63, Ludwig discloses a client screen displaying full-motion video of the three conference participants, while another screen selected by a participant shows data being annotated—*at least one participant to modify the dynamic objects* (col.6, lines 53-57, col.21, lines 46-64, fig. 2A-2B).

Regarding claim 12, which depends on claim 63, Ludwig discloses the video images are presented in the NTSC-quality tv performance at 30 frames per second (col.6, lines 37-44, 48-57). This implies that each video frame has a start and stop time, since 60 video frames must be displayed in a period of one second. For instance, the first video frame start time would be at 1/60 of the second, and a stop time of 2/60 of the same second.

Regarding claim 13, which depends on claim 63, Ludwig discloses the video images are presented to clients using various types of computers, such as computers in the UNIX, Apple,

DOS, Windows, etc., operating systems—*dynamic rich media objects that differ from each other only in their format characteristic*s (col.6, lines 16-35).

Regarding claim 14, which depends on claim 13, Ludwig discloses clients' viewers playing back the video images are presented using various types of computers, such as computers in the UNIX, Apple, DOS, Windows, etc., operating systems, and different bandwidth, such as T1, ISDN, fractional T1, T3, etc.—*player type and bandwidth* (col.6, lines 16-35, and col.10, lines 33-41, col. 32, lines 49-67, fig.4).

Regarding claim 15, which depends on claim 63, Ludwig discloses that before the clients can access any video/audio resources, they must register the services they provide, so that a "collaboration initiator can find collaboration participants no matter where they are located-- *rich media objects selected based on participant profiling* (col.21, lines 5-35).

Regarding claim 16, which depends on claim 15, Ludwig discloses that before the clients can access any video/audio resources, they must register the services they provide, such as video call, snapshot sharing, conference, etc., —*permission levels* of services that can be accessed at a specific client-- so that a "collaboration initiator can find collaboration participants no matter where they are located (col.6, lines 16-22).

Regarding claim 17, which depends on claim 15, Ludwig discloses clients' viewers playing back the video images are presented using various types of computers, such as

computers in the UNIX, Apple, DOS, Windows, etc., operating systems, and different

bandwidth, such as T1, ISDN, fractional T1, T3, etc.—*participant viewer attributes* (col.6, lines

16-35, and col.10, lines 33-41, col. 32, lines 49-67, fig.4).

Regarding claim 18, which depends on claim 17, Ludwig discloses clients' viewers

playing back the video images are presented using various types of computers, such as

computers in the UNIX, Apple, DOS, Windows, etc., operating systems, and different

bandwidth, such as T1, ISDN, fractional T1, T3, etc.—*player type and bandwidth* (col.6, lines

16-35, and col.10, lines 33-41, col. 32, lines 49-67, fig.4).

Regarding claim 23, which depends on claim 63, Ludwig discloses a mechanism

supporting the inter-file search capability to allow a user to search through and navigate stored

audio/video or multimedia information or documents, such as frame numbers, and timecodes—

attribute fields of the dynamic rich media objects (col.31, lines 40-67).

Regarding claim 25, which depends on claim 63, Ludwig discloses an expert answering

the boss's questions while holding a visual conference—*the participant input field stores*

information in a form of a quiz response (col.38, lines 1-11, fig.40).

Regarding claim 26, which depends on claim 6, Ludwig discloses a client screen

displaying full-motion video of the three conference participants, while another screen selected

by a participant shows data being annotated—*modify the dynamic objects* (col.6, lines 53-57,

col.21, lines 46-64, fig. 2A-2B).

Claims 30-36, 41, 43 are directed towards a system for implementing the steps found in

claims 12-18, 23, 25 respectively, and therefore are similarly rejected.

Claims 45, and 49-55, 60, and 62 are directed towards a computer-readable medium for

storing the computer-executable steps found in claims 26, and 12-18, 23, and 25 respectively,

and therefore are similarly rejected.

Claim 64 is directed towards a system for implementing the steps found in claim 63, and

therefore is similarly rejected.

Claim 65 is directed towards a computer-readable medium for storing the computer-

executable steps found in claim 63, and therefore is similarly rejected.

Regarding claim 66, which depends on claim 63, Ludwig discloses storing service

records in a server's service database. The user is able to create, and edit the multimedia

presentations (fig.2b, col.21, lines 23-35). Ludwig fails to explicitly teach *generating a usage*

report based on the attributes of the dynamic objects of the rich media presentation. However,

Goodkovsky teaches generating comments about the learner's performance of a test (col. 12,

lines 6-30). It would have been obvious to one of ordinary skill in the art at the time of the

invention to have combined Ludwig, and Goodkovsky, because Goodkovsky teaches above an

easy to design, and cost-effective method of tutoring a person.

Regarding claim 67, which depends on claim 63, Ludwig discloses storing service

records in a server's service database. The user is able to create, and edit the multimedia

presentations (fig.2b, col.21, lines 23-35). Ludwig fails to explicitly teach *the object attribute*

fields further comprises a quiz success status field. However, Goodkovsky teaches generating

comments about the learner's performance of a test pass of fail (col. 12, lines 6-30). It would

have been obvious to one of ordinary skill in the art at the time of the invention to have

combined Ludwig, and Goodkovsky, because Goodkovsky teaches above an easy to design, and

cost-effective method of tutoring a person.

Claims 68-69 are directed towards a system for implementing the steps found in claims

66-67 respectively, and therefore are similarly rejected.

Claims 70-71 are directed towards a computer-readable medium for storing the

computer-executable steps found in claims 66-67 respectively, and therefore are similarly

rejected.

10.   Claims 10, 28, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ludwig, over Goodkovskyi as applied to claim 63 above, and further in view of Bowman-

Ammuah, hereinafter Bowman (US Pat.# 6,640,238 B1, 10/28/2003, filed on 8/31/1999).

Regarding claim 10, which depends on claim 63, Ludwig discloses the multiplexing or

combining of audio and video streams (synchronized with other window graphics) by the

storage media in the server, so as to enable the clients in the network to download or playback

the video streams stored in the server—*storing object definitions* (col.31, lines 7-19, 27-39, and

48-53, and col.32, lines 46-65). Ludwig fails to explicitly disclose *storing object definitions in*

XML for a plurality of the dynamic objects. However, Bowman teaches the use of the XML-

based SMIL language for sorting multimedia content into separate elements using tags for

linking the elements together (col.42, lines 47-60). It would have been obvious to one of ordinary

skill in the art at the time of the invention to have combined Ludwig, Goodkovsky, and Bowman,

because Bowman teaches above elaborate multimedia presentation to be created out of smaller,

less bandwidth-consuming components, which would save time and resources associated with

the use of more bandwidth.

Claim 28 is directed towards a system for implementing the steps found in claim 10, and

therefore is similarly rejected.

Claim 47 is directed towards a computer-readable medium for storing the computer-

executable steps found in claim 10, and therefore is similarly rejected.

Response to Arguments

11.   Applicant's arguments with respect to claims 4, 10, 12-18, 23, 25-26, 28, 30-36, 41, 43,

45, 47, 49-55, 60, and 62-71 have been considered but are moot in view of the new ground(s) of

rejection. The Applicant indicates that neither Ludwig nor Bowman teach the newly introduced

claims (page13). The Applicant is directed towards the rejection of the new claims as indicated

above.

Conclusion

I.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner

can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please

allow at least one business day.

Information regarding the status of an application may be obtained from the Patent

Application Retrieval (PAIR) system. Status information for published applications may be

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Any response to this Action should be mailed to:
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- **(703) 703-872-9306, {(571)-273-8300 as of July 15, 2005}** (for **all** Formal communications intended for entry)

CESAR PAULA
PRIMARY EXAMINER
7/11/05